

SIXTY-EIGHTH DAY

(Monday, May 12, 1969)

The Senate met at 11:00 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word
Hazlewood	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of Friday, May 9, 1969, was dispensed with and the Journal was approved.

Message From the House

Hall of the House of Representatives
Austin, Texas,
May 12, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 836, A bill to be entitled "An Act defining and regulating the business of giving bail in criminal and quasi-criminal cases, actions or proceedings; providing for the licensing of persons or corporations who engage in that business in any county in the State of Texas with a population in excess of 100,000 as taken by the last official federal census, or in counties of a lesser population if the sheriff and county judge in such county agree that a need exists and wish to comply with this Act; providing for the appeal from the County Bail Bond Control Board; providing for the administration of this

Act by the County Bail Bond Control Board; providing for licensing fees; providing certain penalties; declaring legislative intent; and declaring an emergency."

H. B. No. 146, A bill to be entitled "An Act authorizing creation of the Harrison County Hospital District in accordance with the provisions of Article IX, Section 9, of the Texas Constitution; providing for an election within the area of the proposed hospital district and making certain findings in connection therewith; providing for the operation and financing of said district, including the procedures it is to follow; providing a severability clause; reciting proof of publication of constitutional notice; and declaring an emergency."

H. B. No. 481, A bill to be entitled "An Act relating to transferring jurisdiction and control of the Institute of Texas Cultures, the Texas State Exhibits Building at HemisFair 1968, and all lands and improvements relating thereto to the Board of Regents of The University of Texas System; authorizing the Board of Regents to accept additional gifts of land; relating to the continuation of activities of the institute as a center of history and culture of the people of Texas; amending Section 8, Chapter 443, Acts of the 59th Legislature, Regular Session, 1965, as amended; repealing all laws in conflict; and declaring an emergency."

H. B. No. 683, A bill to be entitled "An Act amending Article 14.22, Title 122A, Taxation-General, Revised Civil Statutes of Texas, 1925, as amended by Acts, 1965, 59th Legislature, page 830, Chapter 402, Section 7, relating to the delivery of certain papers of a decedent; repealing all laws in conflict herewith to the extent of such conflict only; and declaring an emergency."

H. B. No. 1049, A bill to be entitled "An Act amending Section 7, Chapter 206, Acts of the 42nd Legislature, Regular Session, 1931, as amended by Section 9, Chapter 332, 52nd Legislature, Regular Session, 1951 (codified as Article 689a-6 Vernon's R.C.S.), concerning the submission date of the Governor's Budget; and declaring an emergency."

H. B. No. 867, A bill to be entitled "An Act amending Article 1970-31a of the Revised Civil Statutes of Tex-

as (Chapter 174, Page 293, Acts of the Fifty-second Legislature) so as to provide for an Administrative Assistant to the Judge of the Probate Court of Dallas County, and to provide an annual salary for the Administrative Assistant of not less than Fourteen Thousand Four Hundred Dollars (\$14,400.00); and declaring an emergency."

H. B. No. 235, A bill to be entitled "An Act relating to regulation and control of obscenity and obscene materials; amending Article 527, Penal Code of Texas, 1925, as amended; and declaring an emergency."

H. B. No. 1113, A bill to be entitled "An Act relating to the appointment and compensation of official shorthand reporters of the district courts and county courts at law in all counties in this state having a population of 1,200,000 or more, according to the last preceding or any future federal census; and declaring an emergency."

H. B. No. 542, A bill to be entitled "An Act amending Section 16 of Chapter 12, Acts of the 59th Legislature Regular Session; and declaring an emergency."

H. B. No. 304, A bill to be entitled "An Act relating to the abolishing of the office of county superintendent in certain counties; and declaring an emergency."

H. B. No. 21, A bill to be entitled "An Act removing quail in Lamb County as an exemption from the coverage of the Uniform Wildlife Regulatory Act; amending Subdivision (9), Subsection (c), Section 3, Chapter 730, Acts of the 60th Legislature, Regular Session, 1967 (Article 978j-1, Vernon's Texas Penal Code); and declaring an emergency."

H. B. No. 522, A bill to be entitled "An Act amending Article 913, P. C., 1925, relating to the taking of fish and wildlife for propagation, zoological gardens or scientific purposes; and declaring an emergency."

H. B. No. 1361, A bill to be entitled "An Act relating to the criminal jurisdiction of the county and district courts in Franklin County; amending Chapter 302, Acts of the 60th Legislature, Regular Session, 1967 (Article 1970-331b, Vernon's Texas Civil Statutes); and declaring an emergency."

H. B. No. 1070, A bill to be entitled "An Act relating to regulation of the transportation, storage, handling, and use of flammable liquids; providing for enforcement and penalties; and declaring an emergency."

H. B. No. 1214, A bill to be entitled "An Act relating to the creation, administration, powers, duties, and financing of the South Eastland County Hospital District of Eastland and Comanche Counties, Texas; and declaring an emergency."

H. B. No. 1294, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as 'Greenbriar Utility District'; declaring District a governmental agency, body politic and corporate; defining the boundaries; finding the field notes and boundaries form a closure, and related matters; finding benefit to all property within the District; finding District is created for public use and benefit; conferring on District the rights, powers, privileges, authority, and functions of the General Laws of Texas applicable to water control and improvement districts created under said Article 16, Section 59, where not in conflict with this Act, and adopting same by reference; providing for continuing supervision by the Texas Water Rights Commission; stating the policy of the State with regard to waste control; prescribing the District's rights, powers, privileges and functions, and related matters; providing for no election for confirmation; providing for no hearing for exclusions except on written request or the board of directors' own motion; providing for notice of right to have an exclusions hearing; providing for no hearing on plan of taxation and adopting ad valorem plan of taxation; providing for addition of land to District and the assumption of bonded indebtedness by the added land, and related matters; providing for governing body of District; providing for qualifications and bonds of directors; naming first board of directors; providing for the filling of vacancies; providing for terms and election of directors and notice of directors elections, and related matters; providing for the letting of construction contracts and the drawing of warrants; providing for execution of contracts by the president; providing duties of vice-president; providing for compliance with Article 7880-139 V.T.C.S.;

providing for bonds and refunding bonds of the District, and related matters; providing for approval of bonds by the Attorney General of Texas and registration by the Comptroller of Public Accounts; providing for the incontestability of bonds; providing the power of eminent domain shall be limited to the county or counties within which District is situated; providing District shall bear expenses of relocating, raising, or rerouting any highway, railroad, or utility lines or pipe lines made necessary by its exercise of the power of eminent domain; defining 'sole expense'; providing for depositories; providing for an audit, and related matters; providing for the establishment of district offices, and related matters; providing for powers of District within and without the boundaries of District; providing for a plumbing code; providing for the sale of bonds and the price of such bonds; providing that Article 7880-77b, V.T.C.S., shall not be applicable to this District; providing that notice of all elections shall be under the hand of the president or secretary; providing for the canvassing of election returns; providing that bonds and refunding bonds of this District shall be eligible investments; providing that the Municipal Annexation Act shall have no application to the creation of this District; providing that District is subject to provisions of Article 1182c-1, V.T.C.S.; determining and finding the requirements of Article 16, Section 59(d), Constitution of Texas as to notice of intention to introduce this Act have been fulfilled and accomplished; providing the District shall not be required to pay any tax or assessment on its properties or any purchase; enacting other provisions relating to the aforementioned subjects; providing a severability clause; and declaring an emergency."

H. B. No. 1043, A bill to be entitled "An Act amending Articles 2603a, Section 11, and 5380, Revised Civil Statutes of Texas, 1925, to delete therefrom the provisions relating to furnishing a copy of all daily gauges of tanks; and declaring an emergency."

H. B. No. 1111, A bill to be entitled "An Act validating all proceedings and actions taken in the creation of Harris County Water Control and Improvement District No. 71 and the purposes for which it was created under Article 16, Section 59 of the Con-

stitution; validating the addition of certain purposes by the Texas Water Rights Commission; validating the appointment or election of directors; validating all proceedings and actions taken by the Board of Directors of the District, howsoever constituted; validating all hearings and elections; validating the boundaries of the District; finding that the boundaries of the District form a closure; finding that all property within the District will be benefited thereby; conferring rights, powers, privileges, authorities and functions upon the District; providing for the power of contract and making provision for such contracts; providing that the Regional Waste Disposal Act shall be applicable; providing that the District shall use the ad valorem plan of taxation; providing for continuing supervision by the State through the Texas Water Rights Commission; providing that powers may be exercised within or without the District boundaries in contiguous or noncontiguous areas; providing that the bonds of the District are eligible investments and security; providing for the investment of surplus funds; providing that this Act shall not validate any act or proceeding which is the subject of litigation; finding that the requirements of Article 16, Section 59(d) of the Constitution, have been accomplished; providing a severability clause; enacting other provisions relating to the subjects; providing a severability clause; and declaring an emergency."

H. B. No. 1355, A bill to be entitled "An Act relating to the salaries of county officials in certain counties; amending Chapter 427, Acts of the 54th Legislature, 1955, as amended (Article 3883i, Vernon's Texas Civil Statutes); and declaring an emergency."

H. B. No. 1335, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Article XVI, Section 59, Constitution of Texas, to be known as Quail Valley Utility District of Fort Bend County, Texas; defining its boundaries and finding their closure; finding benefits to the land and other property in the district; prescribing its rights, powers, privileges and duties; providing that no confirmation election shall be required; providing for its governing body; authorizing the levy and assessment of taxes and adopting the ad valorem basis of taxation; authorizing the issuance and refunding of bonds and prescribing

their terms and security; authorizing the investment of bond proceeds; prescribing the procedure for annexing land; providing that no exclusion hearing shall be required except under certain circumstances; requiring supervision by the Texas Water Rights Commission; requiring the district to establish an office; providing for the selection of a depository; requiring audits and a system of accounts; containing provisions that its bonds are legal investments and eligible to secure public deposits; providing that except for its creation the district shall be subject to the provisions of Article 970a; providing that the District shall not be subject to the provisions of Article 1182c-1, Vernon's Texas Civil Statutes, except under certain conditions; providing that the district shall bear the sole expense of the relocation of certain facilities; containing other provisions relating to the subject; providing that the district's properties shall not be subject to taxation; providing a severability clause; finding of notice of intention to introduce this Act; and declaring an emergency."

H. B. No. 1370, A bill to be entitled "An Act creating Sulphur Springs Water District, a conservation district, under Article XVI, Section 59 of the Constitution, comprising the territory contained in the City of Sulphur Springs, in the county of Hopkins, State of Texas, as the boundaries of said City existed on the 1st day of April, 1969, for the purpose of providing a source of water supply for municipal, domestic and industrial use and diverting, impounding, storing, treating, and transporting the same; and for the purpose of constructing and operating facilities; providing for a board of directors for the government of said district; providing the means of annexing additional territory to said district; authorizing the district to obtain permits from the Texas Water Rights Commission and from owners of permits; and to make contracts for the purchase of water; authorizing the district to acquire land for its purposes by condemnation; providing that any construction contract in excess of \$5,000 should be made only after publication of notice; authorizing the district to issue bonds and providing for the payment and security thereof; providing that said bonds shall be payable either from ad valorem taxes, revenues or a combination of taxes and revenues; authorizing the issuance of re-

funding bonds; authorizing the execution of a trust indenture to secure bonds payable from revenues or partly from revenues; providing for elections approving the issuance of bonds payable from taxes or partly from taxes; authorizing the district to enter into contracts with cities and others for supplying water to them, and for operation of the water system; providing for the approval of bonds issued by the district and contracts entered into by the district by the Attorney General and registration of bonds by the Comptroller of Public Accounts of the State of Texas; prescribing other powers and duties of the district; authorizing other provisions relating to the subject; providing a severability clause; and declaring an emergency."

H. B. No. 1342, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Article XVI, Section 59, Constitution of Texas, to be known as Sageglen Municipal Utility District of Harris County, Texas; defining its boundaries and finding their closure; finding benefits to the land and other property in the district; prescribing its rights, powers, privileges and duties; providing that no confirmation election shall be required; providing for its governing body; authorizing the levy and assessment of taxes and adopting the ad valorem basis of taxation; authorizing the issuance and refunding of bonds and prescribing their terms and security; authorizing the investment of bond proceeds; prescribing the procedure for annexing land; providing that no exclusion hearing shall be required except under certain circumstances; requiring supervision by the Texas Water Rights Commission; requiring the district to establish an office; providing for the selection of a depository; requiring audits and a system of accounts; containing provisions that its bonds are legal investments and eligible to secure public deposits; providing that except for its creation the district shall be subject to the provisions of Article 970a and subject to the provisions of Article 1182c-1, Vernon's Texas Civil Statutes; providing that the district shall bear the sole expense of the relocation of certain facilities; containing other provisions relating to the subject; providing that the district's properties shall not be subject to taxation;

providing a severability clause; finding of notice of intention to introduce this Act; and declaring an emergency."

H. B. No. 1387, A bill to be entitled "An Act relating to any city to which Article 1269j-4.1 shall apply and to any county having a population in excess of 500,000, according to Federal Census, which has issued bonds to construct and equip a coliseum or stadium and which is operating the same; authorizing any such county to sell such coliseum and stadium to any such city in which the same is situated pursuant to agreements of sale and purchase; prescribing the minimum sale and purchase price for such facilities and authorizing alternative methods of payment thereof; directing the uses of the proceeds of such sale; prescribing the method of conveying title; prescribing the powers of such cities after the taking of title to such facilities; enacting other provisions relating to the subject; providing for severability; and declaring an emergency."

H. B. No. 1383, A bill to be entitled "An Act amending Chapter 712, page 1648, Acts of the 59th Legislature, Regular Session, 1965 (codified as Article 8280-339, Vernon's Texas Civil Statutes), to require that after May 1, 1969, three (3) of the directors of Galveston County Water Authority of Galveston County, Texas, shall be appointed by the Commissioners' Court of Galveston County upon recommendation of the City Council of the City of Galveston, and one (1) of the three (3) shall be one (1) of the three (3) registered professional engineers mentioned in Section 5 thereof; and declaring an emergency."

H. B. No. 963, A bill to be entitled "An Act amending Acts 1967, 60th Legislature, Chapter 453, to change the designations of the bonds therein authorized, to authorize the Parks and Wildlife Department to exercise discretion in establishing interest rates, maximum maturity and the capitalization of interest for the initial fiscal year and appropriate reserves and to authorize the Parks and Wildlife Commission to invest surplus monies in the Park Development Fund in specified securities and recognizing the expenses of issuing bonds to be costs of acquiring land to be ac-

quired with the proceeds thereof; providing for severability; and declaring an emergency."

H. B. No. 1345, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Article XVI, Section 59, Constitution of Texas, to be known as Parkway Utility District of Harris County, Texas; defining its boundaries and finding their closure; finding benefits to the land and other property in the district; prescribing its rights, powers, privileges and duties; providing that no confirmation election shall be required; providing for its governing body; authorizing the levy and assessment of taxes and adopting the ad valorem basis of taxation; authorizing the issuance and refunding of bonds and prescribing their terms and security; authorizing the investment of bond proceeds; prescribing the procedure for annexing land; providing that no exclusion hearing shall be required except under certain circumstances; requiring supervision by the Texas Water Rights Commission; requiring the district to establish an office; providing for the selection of a depository; requiring audits and a system of accounts; containing provisions that its bonds are legal investments and eligible to secure public deposits; providing that except for its creation the district shall be subject to the provisions of Article 970a and subject to the provisions of Article 1182c-1, Vernon's Texas Civil Statutes; providing that the district shall bear the sole expense of the relocation of certain facilities; containing other provisions relating to the subject; providing that the district's properties shall not be subject to taxation; providing a severability clause; finding of notice of intention to introduce this Act; and declaring an emergency."

H. B. No. 1343, A bill to be entitled "An Act relating to the inclusion of all game animals in San Saba County under the Uniform Wildlife Regulatory Act; amending Subsection c, Section 3, Chapter 730, Acts of the 60th Legislature, Regular Session, 1967 (Article 978j-1, Vernon's Texas Penal Code); and declaring an emergency."

H. B. No. 188, A bill to be entitled "An Act amending Section 1 of Chapter 98, Acts of the 60th Legislature,

Regular Session, 1967, relating to the airport in Brazos County now operated under the supervision of the Board of Directors of Texas A&M University; authorizing said Board to lease said airport to any municipality, public agency or airport authority; authorizing said Board to enter into agreements with such lessees whereby said leased airport may be operated under the supervision of said Board; and declaring an emergency."

H. B. No. 1128, A bill to be entitled "An Act amending Article 3.50 of the Insurance Code of Texas, Acts 1951, 52nd Legislature, Chapter 491, the first paragraph of Section 2 relating to the filing of policy forms of group life insurance with the Board of Insurance Commissioners of the State of Texas, the standard provisions required in policies of group life insurance and exceptions, and providing for the absolute or collateral assignment of rights and benefits conferred on any person insured under a group life insurance policy; containing savings and partial invalidity clauses; and declaring an emergency."

H. B. No. 47, A bill to be entitled "An Act relating to the removal of disabilities of a minor for the purposes of becoming a peace officer; amending Article 5921b of the Revised Civil Statutes of Texas, as amended, so as to provide for the removal of the disabilities of a minor making application for appointment as a peace officer in the county where the appointment is to be made; amending Article 5922a of the Revised Civil Statutes of Texas, as amended, by including therein venue in the county where the minor has on file an application for appointment as a peace officer; and changing 'Article 5921a' to read 'Article 5921'; and providing for an emergency."

Respectfully submitted,

DOROTHY HALLMAN,

Chief Clerk, House of Representatives

Senate Bill 817 on First Reading

The following local bill was introduced, read first time and referred to the Committee indicated:

By Senator Word:

S. B. No. 817, A bill to be entitled "An Act fixing the jurisdiction of the County Court of Ellis County,

Texas, and the District Court of Ellis County, Texas; making transfers of all cases on the dockets of said courts to conform to this act; providing that this act shall not affect judgments heretofore rendered by said courts, and for issuing executions thereon; describing the duties of clerks of said courts in making transfers of all cases of the dockets of said courts, and validating all of such acts; repealing the act of 1949, 51st Legislature, page 683, Chapter 355, being otherwise known as Article 1970-338 of Vernon's Annotated Civil Statutes; repealing all other laws and parts of laws in conflict herewith; and declaring an emergency."

To the Committee on County, District and Urban Affairs.

Senate Bill 818 on First Reading

Senator Bates moved that Senate Rule 108 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—30

Aikin	Hazlewood
Bates	Herring
Bernal	Hightower
Berry	Jordan
Blanchard	Kennard
Bridges	Mauzy
Brooks	McKool
Christie	Moore
Cole	Patman
Connally	Ratliff
Creighton	Schwartz
Grover	Snelson
Hall	Strong
Harrington	Watson
Harris	Word

Absent

Wilson

The following bill was then introduced, read first time and referred to the Committee indicated:

By Senators Bates, Christie, Snelson and Connally:

S. B. No. 818, A bill to be entitled "An Act authorizing cities and towns having a toll bridge across a river between the State of Texas and the Republic of Mexico located within, or fifteen (15) miles of, their cor-

porate limits, subject to outstanding covenants relating to outstanding bonds, to appropriate or pledge to revenue bonds issued hereunder, all or any part of any revenues derived by such cities and towns from or on account of any such toll bridges, including revenues derived under any contract with other cities or towns covering or relating to the operation of any such toll bridges; prescribing the purposes for which such revenue bonds may be issued, and the manner of issuing the same and the terms, conditions and limitations permitted hereunder, including the maximum maturities and rates of interest thereof; directing the submission of such revenue bonds and related proceedings to the attorney general for approval and to the comptroller of public accounts for registration; providing for their incontestability; enacting other provisions relating to the subject and declaring a necessity and an emergency."

To the Committee on County, District and Urban Affairs.

Senate Bill 819 on First Reading

The following local bill was introduced, read first time and referred to the Committee indicated:

By Senator Bernal:

S. B. No. 819, A bill to be entitled "An Act authorizing Bexar County to donate and convey land to the Board of Regents of The University of Texas System to be used as a site for a four-year state university."

To the Committee on State Departments and Institutions.

Report of Standing Committee

Senator Hall, by unanimous consent, submitted the following report:

Austin, Texas,
May 12, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on County, District and Urban Affairs to which was referred S. B. No. 818, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.
CONNALLY
WORD

Senate Bill 818 Ordered Not Printed

On motion of Senator Bates and by unanimous consent S. B. No. 818 was ordered not printed.

Senate Bill 48 with House Amendments

Senator Cole called S. B. No. 48 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and the following House amendments before the Senate:

Amendment No. 1

Amend Senate Bill No. 48 by changing Section 2 to read as follows:

"Sec. 2. The six members of the Texas Air Control Board appointed or continued in office under the provisions of Section 3(A) of Chapter 727, Acts of the 60th Legislature, Regular Session, 1967 (Article 4477-5, Vernon's Texas Civil Statutes), and who are in office when this Act goes into effect, shall continue in office as six of the nine members of the Texas Air Control Board, as follows: Herbert C. McKee and Wendell H. Hamrick, the presently serving members appointed to a six-year term in July, 1968, shall serve for a period ending September 1, 1973; Clinton H. Howard and Henry J. LeBlanc, Sr., the presently serving members appointed to a six-year term in February, 1966, shall serve for a period ending September 1, 1971; Herbert W. Whitney, the presently serving member appointed to a four-year term in February, 1966, shall serve until September 1, 1969; and the person appointed to fill the vacancy in the position previously held by D. O. Tomlin, who was appointed in January, 1968, to serve the balance of a four-year term which began in August, 1965, shall serve until September 1, 1969. A person appointed as a member following the expiration of the term of office of a member named in the preceding sentence shall serve during a six-year term as provided in Section 2.03 of this Act. The governor shall also appoint the other three members of the board, as provided in Section 2.02 of this Act. The terms of these three members shall begin on September 1, 1969, and one shall be appointed for a two-year term, one for a four-year term, and one for a six-year term. A person

appointed as a member following the expiration of the term of office of each of these three members shall serve during a six-year term as provided in Section 2.03 of this Act."

Amendment No. 2

Amend Section 1 of Senate Bill No. 48 by changing the phrase in quoted Section 2.12 which reads "Section 2.11 or 2.12 of this code" to read "Section 2.10 or 2.11 of this Act."

Amendment No. 3

Amend Section 1 of Senate Bill No. 48 by striking quoted Section 2.05 and inserting in place of the part stricken the following:

"Section 2.05. Per Diem; Expenses. A member of the board is not entitled to a salary for duties performed as a member of the board. However, a member is entitled to \$25.00 for each day he is in attendance at meetings or hearings or on authorized business of the board, including time spent in traveling to and from the place of the meeting, hearing or other authorized business, and is entitled to reimbursement for travel and other necessary expenses incurred in performing official duties, as evidenced by vouchers approved by the executive secretary."

Amendment No. 4

Amend Section 1 of Senate Bill No. 48 by striking the phrase "an appointed" in Subsection (b) of quoted Section 2.04 and inserting in place of the part stricken the word "a."

Amendment No. 5

Amend Section 1 of Senate Bill No. 48 by changing quoted Section 2.03 to read as follows:

"Section 2.03. Terms of Board Members. The members of the board hold office for staggered terms of six years, with the term of three members expiring on the 1st day of September in each odd-numbered year. Each member holds office until his successor is appointed and has qualified."

Amendment No. 6

Amend Senate Bill No. 48 by striking out subsection (1) of Section 2.02 Subchapter B and substituting therefor the following:

"(1) Nine members are appointed by the governor with the advice and consent of the Senate. Of the nine members appointed by the governor, one shall be a professional engineer with at least ten years experience in the actual practice of his profession which experience shall include work in air control; one shall be a physician licensed to practice in this state, currently engaged in general practice in this state, with experience in the field of industrial medicine; one shall be a person who has been actively engaged in the management of a private manufacturing or industrial concern for at least ten years immediately prior to his appointment; one shall be experienced in the field of municipal government; one shall be an agricultural engineer with at least ten years experience in his profession; and four shall be chosen from the general public."

Further amend Senate Bill 48 by striking out Subsection (2) of Section 2.02 Subchapter B in its entirety.

Floor Amendment No. 7

Amend the caption of Senate Bill No. 48 by striking the phrase "preserving the terms of office of current appointed board members" and inserting in place of the part stricken the phrase "changing the composition and establishing the terms of office of the members of the board."

The House amendments were read.

Senator Cole moved that the Senate concur in the House amendments.

The motion prevailed.

Senate Resolution 754

Senator Jordan offered the following resolution:

Whereas, A distinguished government official from Guyana, the Honorable Rashleigh Esmond Jackson, is visiting the Capital City as a participant in the United States Department of State International Visitor Program; and

Whereas, This illustrious visitor is the permanent Secretary of Guyana's Ministry of External Affairs and has been a leader in the government of his country since 1948; and

Whereas, He began his notable career as a Class II clerk, and received rapid promotions through the ranks

of his country's civil service system; from 1957 to 1960 he was a teacher at Queen's College and returned to teaching in the same college from 1961 until 1964. In 1964 he joined the Ministry of External Affairs as an Assistant Secretary, becoming Principal Assistant Secretary in the ministry in 1965, and rising to his present position in January of this year; and

Whereas, This prominent official holds a bachelor's degree from London and has done postgraduate work at Leicester University, receiving the Government Scholarship for Honors Degree in Mathematics and earning a postgraduate Certificate in Education; and

Whereas, He is particularly interested in foreign relations studies concerning the Caribbean and South America, and he spent the academic year of 1966-67 at Columbia University in New York City studying foreign affairs; and

Whereas, The Senate of the State of Texas is highly honored to have this outstanding government leader from the nation of Guyana as a guest, and the members of the Senate wish to extend to him our Texas hospitality and friendship and express the desire to make his visit an enjoyable and informative one; now, therefore, be it

Resolved, That the Senate of the State of Texas extend highest commendations to the Honorable Rashleigh E. Jackson and express appreciation for this visit to the State of Texas; and, be it further

Resolved, That an official copy of this Resolution, under the Seal of the Senate, be prepared for the permanent secretary of Guyana's Ministry of External Affairs, the Honorable Rashleigh Esmond Jackson, as an expression of high regard and friendship for him and his country by the Senate of the 61st Legislature of the State of Texas.

JORDAN

Signed: Lieutenant Governor Ben Barnes; Aikin, Bates, Bernal, Berry, Blanchard, Bridges, Brooks, Christie, Cole, Connally, Creighton, Grover, Hall, Harrington, Harris, Hazlewood, Herring, Hightower, Kennard, Mauzy, McKool, Moore, Patman, Ratliff, Schwartz, Snelson, Strong, Watson, Wilson and Word.

The resolution was read and was adopted.

On motion of Senator Bates, and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

The President requested Senator Jordan to escort the distinguished guest to the President's Rostrum. The President presented Senator Jordan and she introduced Mr. Jackson to the Senate.

Mr. Jackson addressed the Senate stating that it was an honor and privilege to be invited to say a few words to the Members. After telling some of the problems of his Country and the problems that the columnists say are confronting this Country, he felt confident that they would all be worked out. Mr. Jackson again expressed deep and sincere appreciation for the warmth of the welcome extended to him.

The President thanked Mr. Jackson for his address, stating that he was a great inspiration to all and expressed best wishes for his visit in our State and Country.

Senate Bill 820 on First Reading

Senator Watson moved that Senate Rule 108 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—30

Aikin	Hazlewood
Bates	Herring
Bernal	Hightower
Berry	Jordan
Blanchard	Kennard
Bridges	Mauzy
Brooks	McKool
Christie	Moore
Cole	Patman
Connally	Ratliff
Creighton	Schwartz
Grover	Snelson
Hall	Strong
Harrington	Watson
Harris	Word

Absent

Wilson

The following bill was then introduced, read first time and referred to the Committee indicated:

By Senator Watson:

S. B. No. 820, A bill to be entitled "An Act authorizing creation of a Hospital District over part of Limestone County, to be known as the South Limestone Hospital District: prescribing a procedure for an election on the creation of the District and the levy of a tax for Hospital District purposes; providing the powers of the District and its governing body; providing for the operation and financing of said District, including the procedures it is to follow; reciting proof of publication of constitutional notice; providing a severability clause; and declaring an emergency.

To the Committee on County, District and Urban Affairs.

**House Concurrent Resolution 122
on Second Reading**

The President laid before the Senate the following resolution:

H. C. R. No. 122, In memory of John E. Meade.

The resolution was read.

On motion of Senator Aikin, and by unanimous consent, the resolution was considered immediately and was adopted by a rising vote of the Senate.

**House Concurrent Resolution 117
on Second Reading**

The President laid before the Senate the following resolution:

H. C. R. No. 117, Congratulating Mrs. Evelyn LeTourneau on being named "1969 American Mother of the Year."

The resolution was read.

By unanimous consent, the resolution was considered immediately and was adopted.

**Senate Bill 532 with House
Amendment**

Senator Snelson called S. B. No. 532 from the President's table for consideration of the House amendment to the bill.

The President laid the bill and the following House amendment before the Senate.

Amendment 1

Amend S. B. No. 532, by striking the period at the end of the last section and adding the following:

"and that act shall take effect and be in force from and after its passage, and it is so enacted."

The House amendment was read.

Senator Snelson moved that the Senate concur in the House amendment.

The motion prevailed by the following vote:

Yeas—30

Aikin	Hazlewood
Bates	Herring
Bernal	Hightower
Berry	Jordan
Blanchard	Kennard
Bridges	Mauzy
Brooks	McKool
Christie	Moore
Cole	Patman
Connally	Ratliff
Creighton	Schwartz
Grover	Snelson
Hall	Strong
Harrington	Watson
Harris	Word

Absent

Wilson

Reports of Standing Committee

Senator Hall, by unanimous consent, submitted the following reports:

Austin, Texas,
May 12, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on County, District and Urban Affairs, to which was referred S. B. No. 820, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

HALL, Chairman
CONNALLY
WORD

Austin, Texas,
May 12, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on County, District and Urban Affairs, to which was referred S. B. No. 817,

have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

HALL, Chairman
CONNALLY
WORD

Motion in Writing

Senator Hall submitted the following Motion in Writing:

Hon. Ben Barnes, President of the Senate.

Dear Mr. President:

Notice is hereby given of the intent to hold a Local and Uncontested Calendar at 9:00 a.m., Thursday, May 15, 1969.

HALL, Chairman
Local and Uncontested Calendar

The Motion in Writing was read and was adopted.

Senate Resolution 755

Senator Bridges offered the following resolution:

Whereas, An effective and coordinated state effort in the development of Texas Coastal Resources is recognized as essential to our state's continued economic growth, and such growth demands increased utilization and development of our bays and ports, incentives to enhance maritime commerce, coastal industrialization, tourism, and the mining, producing, and transporting of coastal minerals, and continued protection of wildlife and coastal conservation programs, and that such a coordinated effort will resolve many existing problems and conflicts in this area while giving direction to future efforts; and

Whereas, Marine science and technology have made great strides in understanding the multiple-facets, assets, and requirements of a modern coastal complex, and such knowledge should be utilized in the public interest through legislation and communication; now, therefore, be it

Resolved, By the Senate of the 61st Legislature, That the following be accomplished:

Section 1. A committee is hereby created consisting of nine members, three Senators, and six members representing the public at large, all to be appointed by the Lieutenant Governor. The Committee chairman shall also be named by the Lieutenant Governor.

Sec. 2. Between adjournment of the present session of the Legislature and the next Regular Session thereof, such Committee is authorized, empowered and directed to conduct and make an investigation and study of all matters of or pertaining to the development and use of Texas Coastal Resources, with use of marine science and technology for increased utilization and development of our bays and ports, discovery of incentives to enhance maritime commerce, coastal industrialization, tourism, and the mining, producing, and transporting of coastal minerals, and continued protection of wildlife and coastal conservation; and all matters pertaining to the co-ordination of state efforts in this area.

Sec. 3. For consideration by the next Regular Session of the Legislature such Committee shall make such recommendations for the enactment of such laws, and shall prepare drafts of such legislation as it may deem appropriate which will adequately protect and safeguard the rights of the public in and to the Texas Coastal Resources and will encourage and provoke the development of a modern coastal complex.

Sec. 4. In the conduct of such investigation and study said Committee shall have the right to hold public hearings and, in the manner provided by law, shall have the right to compel the attendance of witnesses and the production of instruments and documents.

Sec. 5. The Texas Railroad Commission, the Texas Parks and Wildlife Commission, and any other state agencies or departments as may be deemed necessary by the Committee are hereby authorized and directed to cooperate fully and completely with the Committee in the making of the study and preparation of any reports.

Sec. 6. From the contingent fund of the Senate, the members of said Committee shall be reimbursed for their actual expenses incurred in carrying out the purposes of this Act.

Sec. 7. The Committee shall report in writing, and file a signed copy of the same with the Lieutenant Governor of Texas, not later than thirty days after the convening of the next Regular Session of the Legislature; and that copies of such report shall be distributed to each member of the Senate. Testimony given at any hearing conducted pursuant to this Resolution shall be given under oath subject to the penalties of perjury.

The resolution was read and was referred to the Committee on Contingent Expenses.

**Motion to Place
Senate Bill 637 on Second Reading**

Senator Connally asked unanimous consent to suspend the regular order of business and take up S. B. No. 637 for consideration at this time (the bill having been read second time on Tuesday, May 6, 1969.)

There was objection.

Senator Connally then moved to suspend the regular order of business and take up S. B. No. 637 for consideration at this time.

The motion was lost by the following vote: (not receiving two-thirds vote of the Members present.)

Yeas—19

Aikin	Harrington
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Bridges	McKool
Brooks	Patman
Christie	Schwartz
Cole	Snelson
Connally	Word
Hall	

Nays—11

Blanchard	Hightower
Creighton	Moore
Grover	Ratliff
Harris	Strong
Hazlewood	Watson
Herring	

Absent

Wilson

Senate Bill 169 on Second Reading

On motion of Senator Harrington, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 169, A bill to be entitled "An Act concerning the practice of barbering in this state; etc., and declaring an emergency."

The bill was read second time.

Senator Harrington offered the following Committee Amendment to the bill:

Amend S. B. 169, Sec. 9, by deleting the following sub-section:

"(A) Conviction of a felony shown by a certified copy of the record of the trial wherein the conviction was had;" and renumbering the sub-sections that follow to conform.

The Committee Amendment was read and was adopted.

Senator Harrington offered the following Committee Amendment to the bill:

Amend Sec. 5 Section 14 by striking out the words "or a" following the words "Class-A barber," and preceding the words "men's hair stylist."

The Committee Amendment was read and was adopted.

Senator Harrington offered the following Committee Amendment to the bill:

Amend S. B. No. 169 by reversing the order of Sections 8 and 9 thereof, and placing said sections in the proper numerical order in order to hereafter read as follows:

"Sec. 8. Section 20a, Chapter 276, Acts of the 52nd Legislature, 1951 (Article 734a, Vernon's Texas Penal Code), is amended to read as follows:

"Section 20a. Any registered barber, registered assistant barber or registered barber's technician shall not be required to renew his certificate of registration while serving on active duty in the military, Air, or Naval Forces of the United States, and the Board shall issue a renewal certificate upon application and payment of a renewal fee according to the fee provisions of Section 20 of this Act within ninety (90) days from the date such registered barber, registered assistant barber or registered barber's technician is released or discharged from active duty in the Armed Forces."

"Sec. 9. Section 21, Chapter 65, Acts of the 41st Legislature, 1st Called Session, 1929, as amended (Article 734a Vernon's Texas Penal Code) is amended to read as follows:

"Sec. 21. The Board shall either refuse to issue or to renew, or shall suspend or revoke any certificate of registration for any one or a combination of the following causes:

"(A) Conviction of a felony shown by a certified copy of the record of the trial wherein the conviction was had;

"(B) Gross malpractice or gross incompetency;

"(C) Continued practice by a person knowingly having an infectious or contagious or communicable disease;

"(D) Advertising by means of knowingly making false or deceptive statements;

"(E) Advertising, practicing, or attempting to practice under another's trade name or another's name;

"(F) Habitual drunkenness or habitual addiction to the use of morphine, cocaine, or other habit forming drugs;

"(G) Immoral or unethical conduct; and

"(H) The commission of any of the offenses described in Section 24 of this Act.

"(I) No certificate shall be issued or renewed unless and until each applicant shall present a health certificate from a regular practicing medical doctor showing that the applicant is free from any kind of infectious or contagious diseases, tuberculosis, communicable diseases, free from the use of any kind of morphine, cocaine, or other habit-forming drug, or a habitual drunkard and that said applicant shall make affidavit to said medical examination that all of said facts are true."

The Committee Amendment was read and was adopted.

Senator Harrington offered the following amendment to the bill:

Amend the first paragraph of Section 8 of Senate Bill No. 169 to read as follows:

"Sec. 8. Section 20a, Chapter 65, Acts of the 41st Legislature, First Called Session, 1929, as amended by Section 1, Chapter 276, Acts of the 52nd Legislature, Regular Session, 1951, is amended to read as follows:"

The amendment was read and was adopted.

On motion of Senator Harrington, and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

Senate Bill 169 on Third Reading

Senator Harrington moved that the Constitutional Rule and Senate Rule

30 requiring bills to be read on three several days be suspended and that S. B. No. 169 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word
Hazlewood	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Senate Resolution 760

Senator McKool offered the following resolution:

Whereas, Mr. Michael Patrick Godfrey, son of Mrs. Rebecca Frances Godfrey and Mr. Billy Frank Godfrey, both of Dallas, Texas, is present today in the Senate Chamber; and

Whereas, Michael, born November 28, 1955, has attained the age of thirteen years; and

Whereas, Michael is the grandson of Mr. and Mrs. A. L. Raney of Dallas, Texas; and

Whereas, Michael is the grandson of Mr. and Mrs. S. F. Godfrey of Las Vegas, Nevada; and

Whereas, Michael has shown an interest and concern about the affairs of his state government; and

Whereas, The Senate of the State of Texas wishes to honor Michael Patrick Godfrey as a distinguished Texan who is a credit to this state; now, therefore, be it

Resolved, That the Senate of the State of Texas endow to Mr. Michael Patrick Godfrey the title of "Honorary Page" for the days of May 12, 13 and 14, 1969; and, be it further

Resolved, That this Resolution be adopted; and that copies of it be sent

to each of his parents, grandparents, and to Michael as a token of the high esteem and regard of the Senate of the State of Texas.

The resolution was read and was adopted.

Senator McKool by unanimous consent presented Michael to the Members of the Senate.

Senate Bill 818 on Second Reading

Senator Bates moved that Senate Rules 13, 30, 110 and 36 and the Constitutional Rule requiring bills to be read on three several days be suspended, and that S. B. No. 818 be placed on its second reading and passage to engrossment and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word
Hazlewood	

The President then laid before the Senate on its second reading and passage to engrossment the following bill:

S. B. No. 818, A bill to be entitled "An Act authorizing cities and towns having a toll bridge across a river between the State of Texas and the Republic of Mexico located within, or within fifteen (15) miles of, their corporate limits, subject to outstanding covenants relating to outstanding bonds, to appropriate or pledge to revenue bonds issued hereunder; etc.; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 818 on Third Reading

The Constitutional Rule requiring bills to be read on three several days having been suspended the President

laid S. B. No. 818 before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word
Hazlewood	

Senate Bill 799 on Second Reading

On motion of Senator Word, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 799, A bill to be entitled "An Act relating to regulation of certain milk products imported into Texas; amending Chapter 394, Acts of the 57th Legislature, Regular Session, 1961, as amended (Article 165-3a, Vernon's Texas Civil Statutes); and declaring an emergency."

The bill was read second time.

Senator Word offered the following amendment to the bill:

Amend S. B. No. 799, Section 3A, by inserting the words "with the exception of Grade 'A' dry milk products" in the third line following the word "products" and prior to the word "produced."

The amendment was read and was adopted.

The bill as amended was passed to engrossment.

Senate Bill 799 on Third Reading

Senator Word moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 799 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word
Hazlewood	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Leave of Absence

Senator Cole was granted leave of absence for the remainder of today on account of important business on motion of Senator Brooks.

**Motion to Place
Senate Joint Resolution 1
on Second Reading**

Senator Harrington asked unanimous consent to suspend the regular order of business and take up S. J. R. No. 1 for consideration at this time.

There was objection.

Senator Harrington then moved to suspend the regular order of business and take up S. J. R. No. 1 for consideration at this time.

The motion was lost by the following vote (not receiving two-thirds vote of the Members present):

Yeas—19

Aikin	Herring
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Bridges	McKool
Brooks	Patman
Connally	Schwartz
Grover	Snelson
Hall	Watson
Harrington	

Nays—10

Blanchard	Hightower
Christie	Moore
Creighton	Ratliff
Harris	Strong
Hazlewood	Word

Absent

Wilson

Absent—Excused

Cole

**Committee Substitute
Senate Bill 607 on Second Reading**

On motion of Senator Schwartz, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C. S. S. B. No. 607, A bill to be entitled "An Act declaring the public policy of this state regarding the recreational use of certain beaches; authorizing the licensing of certain business establishments which do not interfere with such use; providing a penalty for violations; and declaring an emergency."

The bill was read second time.

Senator Mauzy offered the following amendment to the bill:

Amend Sec. 4 of C. S. S. B. 607 by adding the following sentence after the semicolon following the word "operate": "The Commissioner shall require a statement from the applicant in such application that no alcoholic beverages will be possessed or sold by such mobile business establishment."

The amendment was read and was adopted.

On motion of Senator Schwartz, and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

Senate Bill 607 on Third Reading

Senator Schwartz moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 607 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Connally	Ratliff
Creighton	Schwartz
Grover	Snelson
Hall	Strong
Harrington	Watson
Harris	Word
Hazlewood	

Absent

Wilson

Absent—Excused

Cole

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

**Motion to Place
House Bill 498 on Second Reading**

Senator Blanchard moved to suspend the regular order of business and take up H. B. No. 498 for consideration at this time.

The motion was lost by the following vote (not receiving two-thirds vote of the Members present):

Yeas—18

Aikin	Hightower
Bates	Jordan
Blanchard	Ratliff
Bridges	Schwartz
Brooks	Snelson
Connally	Strong
Grover	Watson
Hall	Wilson
Harrington	Word

Nays—12

Bernal	Herring
Berry	Kennard
Christie	Mauzy
Creighton	McKool
Harris	Moore
Hazlewood	Patman

Absent—Excused

Cole

Bills and Resolutions Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bills and resolution:

S. C. R. No. 75, Permitting consideration of Local and Uncontested Calendars on any day.

S. B. No. 291, A bill to be entitled "An Act relating to the creation of The Spindletop Memorial Museum; etc.; and declaring an emergency."

S. B. No. 244, A bill to be entitled "An Act combining Statutes; eliminating a reference to a financial assistance termination date; deleting certain requirements of applications for financial assistance; etc.; and declaring an emergency."

S. B. No. 229, A bill to be entitled "An Act relating to regulating the sale, use, and transportation of herbicides; etc.; and declaring an emergency."

S. B. No. 187, A bill to be entitled "An Act establishing and providing a special facility for the mentally ill and mentally retarded; regulating and providing for the operation of same; and declaring an emergency."

(Senator Ratliff in the Chair.)

Report of Standing Committee

Senator Hightower, by unanimous consent, submitted the following report:

Austin, Texas,
May 12, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Contingent Expenses, to which was referred H. C. R. No. 89, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HIGHTOWER,
Chairman
WORD
AIKIN
KENNARD

Senate Bill 821 on First Reading

By unanimous consent, Senator Hall moved that Senate Rule 108 and Sec-

tion 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—30

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Connally	Ratliff
Creighton	Schwartz
Grover	Snelson
Hall	Strong
Harrington	Watson
Harris	Wilson
Hazlewood	Word

Absent—Excused

Cole

The following bill was then introduced, read first time and referred to the Committee indicated:

By Senator Hall:

S. B. No. 821, A bill to be entitled "An Act relating to the teaching of a course in the public schools on the dangers of crime and narcotics and the excessive use of alcohol and tobacco; and declaring an emergency."

To the Committee on Education.

Senate Bill 822 on First Reading

By unanimous consent, the following local bill was introduced, read first time and referred to the Committee indicated:

By Senator Strong:

S. B. No. 822, A bill to be entitled "An Act relating to the qualifications of school district trustees in counties of not less than sixteen thousand eight hundred seventy (16,870) nor more than sixteen thousand nine hundred (16,900) according to the last preceding Federal Census; providing for suit for removal of unqualified trustees; and declaring an emergency."

To the Committee on County, District and Urban Affairs.

Message From the House

Hall of the House of Representatives
Austin, Texas,
May 12, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 189, A bill to be entitled "An Act authorizing the creation of the Brazos County, Texas, Airport Authority in Brazos County, Texas; stating purpose of the Act; defining terms; providing for petition and election on the question of the creation of the Authority and authorization of a tax not to exceed 75¢ on the \$100 assessed valuation; finding that creation of Authority and airport improvements of Authority will benefit all land in Authority; providing for subsequent tax elections; constituting the Authority a body politic and corporate, governmental and public in nature; providing for the organization and meetings of the Board of Directors and the appointment, compensation and qualifications of the members thereof; conferring powers and imposing duties on the Authority and its board of Directors, including, without limitation, the power of eminent domain, the power to adopt rules and regulations and to provide penalties for violations thereof, the power to enter into airport lease agreements and airport operating agreements with Texas A&M University, and other powers; providing the Authority shall bear the expense of relocating, raising or rerouting any highway, railroad, utility lines or pipelines made necessary by its exercise of the power of eminent domain; defining 'sole expense'; providing for the assessment, levy and collection of taxes by the Authority; creating a lien for taxes levied; authorizing the issuance of bonds of various types, and prescribing the conditions, terms and provisions under and pursuant to which the same may be issued, and related matters; declaring such bonds to be free from taxation and to be subject to certain provisions of the Uniform Commercial Code; declaring the bonds to be authorized investments for certain institutions; providing for bank depositories; providing for investment or reinvestment of certain funds of the Authority; exempting bonds of the Authority, income therefrom and property of the Authority from taxation; prohibiting certain conduct of Authority personnel and directors and providing for a penalty therefor; prohibiting the seizure of any of the

property of the Authority by execution, garnishment or attachment; providing for the adoption of zoning regulations; authorizing municipalities to cooperate and aid in the development of airport projects in various respects when such projects will benefit such municipalities; providing for inclusion of additional counties within Authority; enacting other provisions relating to the aforementioned subjects; providing a severability clause; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

(President in the Chair.)

Report of Standing Committee

Senator Brooks, by unanimous consent, submitted the following report:

Austin, Texas,
May 12, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on State Departments and Institutions, to which was referred S. B. No. 819, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BROOKS, Chairman
BERNAL
AIKIN
MAUZY
McKOOL
PATMAN
BRIDGES
WILSON

Senate Bill 324 with House Amendments

Senator Kennard called S. B. No. 324 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and the following House amendments before the Senate:

Amendment 1

Amend Senate Bill No. 324 by striking all below the enacting clause and inserting in lieu thereof the following:

"Section 1. No department, agency, political subdivision, county, or mu-

nicipality of this state shall approve any program or project that requires the use or taking of any public land designated or utilized prior to the arrangement of such program or project as a park, recreation area, scientific area, wild life refuge, or historic site, unless such department, agency, political subdivision, county, or municipality, acting through its duly authorized governing body or officer, shall determine, after notice and a public hearing as required herein, that (1) there is no feasible and prudent alternative to the use or taking of such land, and (2) such program or project includes all reasonable planning to minimize harm to such land, as a park, recreation area, scientific area, wild life refuge, or historic site, resulting from such use or taking; clearly enunciated local preferences shall be considered, and the provisions of the Act do not constitute a mandatory prohibition against the use of such area if the findings are made that justify the approval of a program or project.

"Section 2. When any program or project requires notice and a public hearing before approval, notice thereof shall be given in writing to the person, organization, department or agency that has supervision of the land proposed to be used or taken. The notice shall state clearly the proposed program or project, and the date and place for the public hearing, and the notice shall be given at least 30 days before the date for the public hearing. Notice shall also be given to the public by publishing a notice similar to that specified in this section once a week for three consecutive weeks. The last days of publication shall not be less than one week or more than two weeks before the date of the hearing. The notice shall be published in a newspaper of general circulation, which paper must be published at least six days a week in the county where the land proposed to be used or taken is situated. If there be no such newspaper, then the notice shall be published in such a newspaper that is published in any county adjoining the county where the land is situated; and, if there be no such newspaper published in any adjoining county, then in such a newspaper published in the nearest county to the county where the land is situated. Provided, that if there be no such daily newspaper published therein, said notice

shall be published in any newspaper of general circulation published in the political subdivision affected. And if no newspaper be published in such political subdivision, notice shall be published in a newspaper published in the nearest political subdivision thereto.

"Sec. 3. Judicial review of the validity or invalidity of the approval or disapproval of a program or project is barred unless the petition for review is filed within thirty days after the approval or disapproval is announced.

"Sec. 4. The importance of this legislation and the crowded condition of the calendars in both Houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and this Rule is hereby suspended; and that this Act take effect and be in force from and after its passage, and it is so enacted."

Amendment 2

Amend Senate Bill No. 324 by striking all above the enacting clause and inserting in lieu thereof the following:

"A BILL TO BE ENTITLED

An Act providing restrictions on governmental approval of programs or projects requiring the use or taking of public land devoted to certain use by the public and prescribing requirements as to notice, public hearing, and findings; providing that clearly enunciated local preferences shall be considered, and that the provisions of the Act do not constitute a mandatory prohibition against the use of such area; providing time for filing of petition by dissatisfied party; and declaring an emergency."

The House amendments were read.

Senator Kennard moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

Yeas—30

Aikin	Bridges
Bates	Brooks
Bernal	Christie
Berry	Connally
Blanchard	Creighton

Grover	McKool
Hall	Moore
Harrington	Patman
Harris	Ratliff
Hazlewood	Schwartz
Herring	Snelson
Hightower	Strong
Jordan	Watson
Kennard	Wilson
Mauzy	Word

Absent—Excused

Cole

Senate Joint Resolution 34 on Second Reading

On motion of Senator Bernal, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. J. R. No. 34, Proposing an amendment to Section 51-a, Article III, Constitution of the State of Texas, to remove the limit on the amount of money which may be spent each year out of state funds for welfare programs.

The resolution was read second time and passed to engrossment.

Record of Vote

Senator Grover asked to be recorded as voting "Nay" on the passage of the resolution to engrossment.

Senate Joint Resolution 34 on Third Reading

Senator Bernal moved that the Constitutional Rule and Senate Rule 30 requiring resolutions to be read on three several days be suspended and that S. J. R. No. 34 be placed on its third reading and final passage.

(Senator Hightower in the Chair.)

The motion prevailed by the following vote:

Yeas—28

Aikin	Hall
Bates	Harrington
Bernal	Harris
Berry	Hazlewood
Blanchard	Herring
Bridges	Hightower
Brooks	Jordan
Christie	Kennard
Connally	Mauzy
Creighton	McKool

Moore	Snelson
Patman	Strong
Ratliff	Watson
Schwartz	Wilson

Nays—2

Grover	Word
--------	------

Absent—Excused

Cole

The Presiding Officer then laid the resolution before the Senate on its third reading and final passage.

The resolution was read third time and was passed by the following vote:

Yeas—28

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Connally	Ratliff
Creighton	Schwartz
Hall	Snelson
Harrington	Strong
Harris	Watson
Hazlewood	Wilson

Nays—2

Grover	Word
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Absent—Excused

Cole

Report of Standing Committee

Senator Hall, by unanimous consent, submitted the following report:

Austin, Texas,
May 11, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on County, District and Urban Affairs, to which was referred S. B. No. 797, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman
CONNALLY
WORD

Bills Signed

The Presiding Officer announced the signing by the President in the

presence of the Senate after the caption had been read, the following enrolled bills:

H. B. No. 392, A bill to be entitled "An Act making it unlawful for any person 21 years of age and over to sell, furnish, barter, trade, administer, or give, or to offer to furnish, sell, barter, trade, administer, or give to any person under 21 years of age any narcotic drug, as defined; providing a penalty; etc.; and declaring an emergency."

H. B. No. 1282, A bill to be entitled "An Act amending Statutes, to provide for the sale of bonds by Bordenville Improvement District at a price not less than that provided by law; etc.; and declaring an emergency."

H. B. No. 345, A bill to be entitled "An Act providing that certain mortgage banking institutions are subject to supervision by the Banking Commissioner of Texas; etc.; and declaring an emergency."

H. B. No. 1262, A bill to be entitled "An Act amending Article 2687, Revised Civil Statutes of Texas, 1925, as amended, relating to compensation for the trustees of the county school board in certain counties; and declaring an emergency."

H. B. No. 650, A bill to be entitled "An Act relating to the compensation of assistant county attorneys in certain counties; and declaring an emergency."

H. B. No. 646, A bill to be entitled "An Act providing for the creation of the Denton County Hospital District over all of Denton County, Texas; etc.; and declaring an emergency."

H. B. No. 879, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under and essential to the purposes of Article 16, Section 59 of the Constitution of Texas, to be known as 'Green Ridge Municipal Utility District'; etc.; and declaring an emergency."

H. B. No. 872, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under and essential to the purposes of Article 16, Section 59 of the Constitution of Texas, to be known as 'Post Oak Road Municipal Utility Dis-

trict'; etc.; and declaring an emergency."

H. B. No. 876, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under and essential to the purposes of Article 16, Section 59, of the Constitution of Texas, to be known as 'Court Road Municipal Utility District'; etc.; and declaring an emergency."

H. B. No. 875, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under and essential to the purposes of Article 16, Section 59, of the Constitution of Texas, to be known as 'McHard Road Municipal Utility District'; etc.; and declaring an emergency."

H. B. No. 873, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under and essential to the purposes of Article 16, Section 59 of the Constitution of Texas, to be known as 'Burlington Colony Municipal Utility District'; etc.; and declaring an emergency."

H. B. No. 339, A bill to be entitled "An Act relating to extension of the period of limitation for cross claims and counterclaims arising out of the same subject matter as the opposing party's claim; and declaring an emergency."

H. B. No. 393, A bill to be entitled "An Act authorizing the Chairman of the Board of Directors of Texas Technological College to convey certain land to the Western Information Network Association; and declaring an emergency."

H. B. No. 1264, A bill to be entitled "An Act amending Chapter 528, Acts of the 59th Legislature, 1965, relating to 'Clear Creek Basin Authority'; etc.; and declaring an emergency."

H. B. No. 1295, A bill to be entitled "An Act placing the regulation of the taking of deer in Harrison County under the provisions of the Uniform Wildlife Regulatory Act; etc.; and declaring an emergency."

H. B. No. 1283, A bill to be entitled "An Act amending Section 18 of Acts 1965, 59th Legislature, Chapter 621, as amended (codified as Article 8280-

333, V.T.C.S.), to provide for the sale of bonds by West Road Improvement District at a price not less than that provided by law; etc.; and declaring an emergency."

H. B. No. 840, A bill to be entitled "An Act relating to seizure and sale of unlawfully possessed marine life; etc.; and declaring an emergency."

H. B. No. 1261, A bill to be entitled "An Act relating to compensation for assistants to the county superintendent in certain counties; and declaring an emergency."

H. B. No. 805, A bill to be entitled "An Act amending Statutes, deleting the voltage restriction on electrotrawls used by Commercial Gulf Shrimp Boats in certain waters of the Gulf of Mexico; providing a repealing clause; providing a saving clause; and declaring an emergency."

H. B. No. 487, A bill to be entitled "An Act relating to hunting quail in Hopkins County; etc.; and declaring an emergency."

H. B. No. 677, A bill to be entitled "An Act relating to and fixing the maximum salaries of the official shorthand reporters for the 5th and the Second 25th Judicial Districts of Texas; and declaring an emergency."

H. B. No. 445, A bill to be entitled "An Act relating to the jurisdiction of the County Court of Morris County and the 76th District Court over eminent domain proceedings; etc.; and declaring an emergency."

H. B. No. 546, A bill to be entitled "An Act relating to the use of dogs in pursuing or taking of deer in a certain portion of Harrison County; and declaring an emergency."

H. B. No. 484, A bill to be entitled "An Act relating to the levy and collection of a maintenance tax in school districts in certain counties; and declaring an emergency."

H. B. No. 443, A bill to be entitled "An Act relating to the issuance of interest-bearing time warrants by schools districts; etc.; and declaring an emergency."

H. B. No. 405, A bill to be entitled "An Act relating to additional classes of counties that are to use jury

wheels in selecting jurors; etc.; and declaring an emergency."

H. B. No. 1284, A bill to be entitled "An Act amending Section 18 of Acts 1965, 59th Legislature, Chapter 604, as amended (codified as Article 8280-324, V.T.C.S.), to provide for the sale of bonds by Clear Woods Improvement District at a price not less than that provided by law; etc.; and declaring an emergency."

House Bills on First Reading

The following bills received from the House, were read the first time and referred to the Committees indicated:

H. B. No. 63, To Committee on Jurisprudence.

H. B. No. 148, To Committee on Education.

H. B. No. 178, To Committee on Water and Conservation.

H. B. No. 389, To Committee on Education.

H. B. No. 472, To Committee on Parks and Wildlife.

H. B. No. 483, To Committee on Education.

H. B. No. 449, To Committee on County, District and Urban Affairs.

H. B. No. 545, To Committee on County, District and Urban Affairs.

H. B. No. 555, To Committee on County, District and Urban Affairs.

H. B. No. 647, To Committee on County, District and Urban Affairs.

H. B. No. 649, To Committee on Legislative, Congressional and Judicial Districts.

H. B. No. 690, To Committee on County, District and Urban Affairs.

H. B. No. 802, To Committee on County, District and Urban Affairs.

H. B. No. 833, To Committee on Public Health.

H. B. No. 847, To Committee on Water and Conservation.

H. B. No. 866, To Committee on Jurisprudence.

H. B. No. 950, To Committee on Public Health.

H. B. No. 1018, To Committee on State Affairs.

H. B. No. 1132, To Committee on Commerce and Industry.

H. B. No. 1138, To Committee on Water and Conservation.

H. B. No. 1143, To Committee on Water and Conservation.

H. B. No. 1188, To Committee on State Affairs.

H. B. No. 1275, To Committee on County, District and Urban Affairs.

H. B. No. 1276, To Committee on Parks and Wildlife.

H. B. No. 1285, To Committee on Water and Conservation.

H. B. No. 1288, To Committee on Jurisprudence.

H. B. No. 1293, To Committee on County, District and Urban Affairs.

H. B. No. 1306, To Committee on Parks and Wildlife.

H. B. No. 1307, To Committee on Parks and Wildlife.

H. B. No. 1324, To Committee on Parks and Wildlife.

H. B. No. 1325, To Committee on Water and Conservation.

H. B. No. 1346, To Committee on County, District and Urban Affairs.

H. B. No. 1380, To Committee on Water and Conservation.

H. B. No. 1386, To Committee on Legislative, Congressional and Judicial Districts.

H. B. No. 1393, To Committee on County, District and Urban Affairs.

Memorial Resolutions

S. R. No. 758 — By Senator Schwartz: Memorial resolution for Paul A. Millegan.

S. R. No. 759—By Senator Snelson: Memorial resolution for John Ivan "Jack" Mashburn.

Welcome and Congratulatory Resolutions

S. R. No. 756 — By Senator Schwartz: Extending welcome and privileges of the floor for the day to Dr. and Mrs. Bernard Milstein.

S. R. No. 757—By Senator Hazlewood: Extending congratulations to the Canyon Eagles on winning Class AAA State Basketball Tournament.

S. R. No. 761—By Senator Herring: Extending welcome to sponsors and students of Becker Elementary School of Austin.

S. R. No. 762—By Senator Herring: Extending welcome to teacher and students of St. Austin School of Austin.

S. R. No. 763—By Senator Watson: Extending welcome and privileges of the floor to Allen Weed of Waco.

Adjournment

On motion of Senator Aikin the Senate at 12:35 o'clock p.m. adjourned until 10:30 o'clock a.m. tomorrow.

APPENDIX

Sent to Governor

May 12, 1969

S. B. No. 187

S. B. No. 229

S. B. No. 244

S. B. No. 291

S. C. R. No. 75

SIXTY-NINTH DAY

(Tuesday, May 13, 1969)

The Sneate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Hall
Bates	Harrington
Bernal	Harris
Berry	Hazlewood
Blanchard	Herring
Bridges	Hightower
Brooks	Jordan
Christie	Mauzy
Cole	McKool
Connally	Moore
Creighton	Patman
Grover	Ratliff

Schwartz
Snelson
Strong

Watson
Wilson
Word

Absent—Excused

Kennard

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

(Senator Aikin in the Chair.)

Leave of Absence

Senator Kennard was granted leave of absence for today on account of illness on motion of Senator Word.

Reports of Standing Committees

Senator Creighton submitted the following report:

Austin, Texas,
May 13, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Water and Conservation to which was referred H. B. No. 1325, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CREIGHTON, Chairman.

Senator Aikin submitted the following report:

Austin, Texas,
May 13, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Education to which was referred H. B. No. 148, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman
MAUZY
WILSON
CONNALLY
HIGHTOWER
RATLIFF
SNELSON
BATES
WORD